

NATIONAL OFFSHORE SAFETY ADVISORY COMMITTEE (NOSAC)

TASK STATEMENT

on

SUBCOMMITTEE ON SOLAS APPLICATION FOR OFFSHORE SUPPORT VESSELS

I. TASK TITLE:

Application of the Safety of Life at Sea (SOLAS) Convention to the various types of offshore support vessels working in foreign locations, including but not limited to: offshore supply vessels, anchor handling vessels, liftboats, crew boats, dive support vessels, and seismic vessels.

II. BACKGROUND:

A series of Coast Guard policy decisions and interpretations indicate a fundamental shift in the approach to offshore vessels operating from foreign locations, particularly the application of SOLAS to vessels that have not traditionally fallen under SOLAS. These changes apply to Coast Guard determinations of applicable vessel tonnage and the definition of “foreign/international voyage” for determining the applicability of international vessel rules. The most significant of the new policies may be those applicable to the definition of international voyage. The present definitions in SOLAS derives from the definitions in force in SOLAS 1936 which are “An international voyage is a voyage from a country to which the present Convention applies to a port outside such country, or conversely; and for this purpose each colony, overseas territory, protectorate or territory under suzerainty or mandate is regarded as a separate country; and a ship is a passenger ship if it carries more than 12 passengers.”

These new policies include:

- NVIC 11-93, Change 1 - This change sought to apply certain SOLAS-related initiatives, such as GMDSS and ISM, to vessels which were built before prior to the implementation date of those initiatives.
- Federal Register Notice of April 4, 2004 - This notice applied a new interpretation to the foreign voyages which effectively did away with the industry practice known as foreign/domestic operations, in which a vessel which did not previously fall under SOLAS would go to a foreign location and operate in domestic operations at that location for an extended period.
- Federal Register Notice of June 21, 2004 - This notice further elaborated on the April 4 Notice, stating that vessels which did not arrive at their new location through an exemption from the Coast Guard must comply with SOLAS.

To some extent, these initiatives are driven by the changing international view on both security and safety. While the industry firmly believes that its practices are supported by regulation, law and treaty, it also recognizes the need for the Coast Guard to continue to

show international leadership and agrees to find an acceptable solution, which allows the industry to continue to compete internationally, while conforming with the changing world maritime environment.

III. PROBLEM:

For decades the Coast Guard has allowed U.S. vessels to deploy to foreign locations and work exclusively from those foreign ports and considered that the vessels were not on an international voyage and thus not subject to SOLAS while operating “in commerce.” Recent Coast Guard policy interpretations may eliminate that concept and define all voyages outside of U.S. domestic waters as a foreign/international voyage. This new series of policy interpretations may have the effect of requiring full SOLAS compliance by many Crewboats, Liftboats and Offshore Supply Vessels that have previously been exempt from SOLAS.

The second policy change would eliminate the use of tonnage reconciliation letters for “demonstrating” for foreign port state control authorities the applicability of international agreements to vessels built before July 1994. This policy will have the immediate effect of requiring ISM, ISPS, GMDSS and STCW compliance according to ITC tonnage for vessels that had previously been exempt due to their build date.

The ultimate goal of this subcommittee is to find a win-win solution to SOLAS application, enforcement and documentation of U.S. flagged offshore support vessels which allows America’s most vibrant international fleet to continue to compete in a global environment while maintaining U.S. Coast Guard leadership on International Security and Safety issues.

IV. TASK:

A. Description:

1. Form a NOSAC subcommittee to identify, review and assess the application and interpretation of SOLAS and its various amendments (ISM, GMDSS, ISPS, ETC.) as they relate to offshore support vessels of various types including, but not limited to, offshore supply vessels, anchor handling vessels, liftboats, crew boats, dive support vessels, seismic vessels, etc
2. Prepare a report to submit to NOSAC and the Coast Guard that would make recommendations on the above subcommittee work. Report to include:-
 - Identify the different flag state practices as it relates to vessel security with established industry practice.
 - Identify and assign clear internationally accepted definitions to terms such as but not limited to “passenger”, “international voyage”, and “crew”, that is crucial in determining the applicability of international conventions to offshore support vessels of various types.
 - Development of a recommended resolution of the technical compliance questions involving vessel construction, equipment and classification requirements for regulatory compliance for both domestic and international convention (SOLAS) vessel safety regulations.
 - Development of a recommended Coast Guard policy detailing the application of

SOLAS to various types of offshore support vessels that will comply with expected future international port state control activities.

- Development of a comprehensive Coast Guard position for submission to IMO on the application of SOLAS and its various amendments to the various types of offshore support vessels.

B. Estimated time to complete this task6 months.

C. Recommended professional qualifications of subcommittee:

1. The subcommittee should be chaired by a member of the committee.
2. Knowledge of offshore vessel industry operations, including the operation of offshore supply vessels, anchor handling vessels, liftboats, crew boats, dive support vessels, and seismic vessels.
3. Knowledge of IMO as it pertains to the operation of the various vessels in the offshore industry.

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